

Message Text

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ACTION SNM-05

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SUBJECT: NARCOTICS LAWS: GABON

REF: STATE 170187

THE FOLLOWING INFORMATION IS KEYED TO THE NUMBERED QUESTIONS
PARA 2 REFTEL.

(1) A) MARIJUANA, COCAINE AND HEROIN ARE CLASSIFIED IN
GABONESE LAS AS DANGEROUS NARCOTICS. THE USE, POSSESSION,
PRODUCTION, EXTRACTION, PREPARATION OR SALE OF MARIJUANA, OPIUM,
OPIUM EXTRACTS, MORPHINE, COCAINE, HASHISH OR HEMP IS PUNISHABLE
BY A 6-24 MONTHS PRISON SENTENCE AND OR A \$100-4000 FINE. NO
INFORMATION IS AVAILABLE ON LAWS DEALING WITH SYNTHETIC DRUGS.
B) INFORMATION NOT AVAILABLE.
C) ALTHOUGH INFORMATION IS NOT AVAILABLE, FROM PRESS ARTICLES
DISCUSSING RARE GABONESE NARCOTICS CASES, PENALTIES FOR POSSESSION
ARE DISCRETIONARY.

(2) PROSECUTION IS FAIRLY RARE FOR NARCOTICS OFFENSES BUT
WHEN GUILT IS EVIDENT AND PROVEN, THE SENTENCES ARE SEVERE. NO
INFORMATION IS AVAILABLE ON PARTICULAR TRAFFICKING LAWS. THERE IS
A PROVISION FOR BAIL IN THE GABONESE CIVIL CODE, HOWEVER, IT IS
RARELY GRANTED.

(3) EMBASSY BELIEVES THERE IS VIRTUALLY NO CULTIVATION,OR
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POTENTIAL FOR IT, OF HASHISH, MARIJUANA, COCOA OR OPIUM POPPOES.

(4) QUESTIONS ON FINANCIAL SUPPORT FOR FULTIVATION ARE NOT APPLICABLE
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(5) A PERSON CAN BE TAKEN INTO POLICE CUSTODY AND HELD FOR 48
HOURS WITHOUT BEING ALLOWED TO CONTACT EITHER A LAWYAR OR AN

EMBASSY OFFICIAL, PROVIDING THE OFFENSE COMMITTED IS PUNISHABLE BY IMPRISONMENT. THIS 48 HOUR PERIOD CAN BE RENEWED ONE TIME BY A GOVERNMENT PROSECUTOR. DURING THIS PERIOD A PERSON CAN LEGALLY REFUSE TO ANSWER. DURING THE INITIAL QUESTIONING PERIOD A PERSON DOES NOT HAVE THE RIGHT TO HAVE EITHER A LAWYER OR A CONSULAR OFFICER PRESENT. AFTER INITIAL QUESTIONING BY THE POLICE, A PERSON IS TAKEN BEFORE A PUBLIC ATTORNEY WHOSE FUNCTION IS SIMILIAR TO THAT OF A U.S. DISTRICT ATTORNEY. THE PUBLIC ATTORNEY EVALUATES THE EVIDENCE AND THEN CAN EITHER ORDER THE PERSON TO APPEAR IN COURT, OR SEND THE PERSON TO PRISON WHILE FURTHER INVESTIGATION IS CONDUCTED. WHILE AWAITING TRAIL A PERSON MAY CORRESPOND WITH AND BE VISITED BY A LAWYER AND EMBASSY CONSULAR OFFICIAL AS OFTEN AS REQUESTED. CRIMINAL CASES ARE PLEADED BEFORE A JURY AND PANAL OF 3 JUDGES. DETAILED RECORDS ARE KEPT, HOWEVER TRANSLATIONS MUST BE ARRANGED PRIVATELY.TIENKEN

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